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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,888	07/11/2006	Domenico Percivalle	S8625.0001/P001	8044
24998 7590 04/04/2008 DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403				
EXAMINER				
CULLER, JILL E				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/565,888

Applicant(s)

PERCIVALLE, DOMENICO

Examiner

Jill E. Culler

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 15, 16, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date 20060125
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 12-14 and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,283,023 to Christmann et al.

With respect to claim 1, Christmann et al. teaches an inking and doctor unit for a rotogravure print and spread cylinder, comprising a casing; a doctor assembly, including a doctor, 21, fitted to a doctor carrier, 19, and an inking chamber bounded by a concave inner surface of the casing and at least partly by the doctor assembly; the casing and the doctor assembly forming a box body closed except for one side engaging in use a print cylinder, 2, characterized in that the doctor is mounted to lie flat with respect to a lateral surface of the print cylinder, when the box body engages the print cylinder; and in that the doctor carrier comprises a rocking support, 17, rotating about a regulating axis parallel in use to an axis of rotation of the print cylinder and a slide integral with the doctor and which slides on the support. See column 1, line 44 - column 2, line 48 and the Figure.

With respect to claim 12, Christmann et al. teaches that the doctor is fitted to the doctor carrier for resting in use on the lateral surface of the print cylinder along a doctor line, the doctor forming an acute angle with a plane tangent to the lateral surface of the

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print cylinder along the doctor line on the ink feed side. See column 2, lines 33-48 and the Figure

With respect to claim 13, Christmann et al. teaches actuating members, 23, for moving the slide (28) with respect to the support, 17. See column 2, lines 12-32 and the Figure.

With respect to claim 14, Christmann et al. teaches an inking roller, 4, housed inside the inking chamber with an axis of rotation parallel to the axis of rotation of the print cylinder for pressing ink collected inside the inking chamber against the lateral surface of the print cylinder. See column 2, lines 3-11 and the Figure.

With respect to claim 17, Christmann et al. teaches a rotogravure print and spread assembly comprising a print cylinder, 2, having an axis of rotation, characterized by comprising an inking and doctor unit as claimed in claim 1. See column 1, lines 44-56 and the Figure.

With respect to claim 18, Christmann et al. teaches actuating means, 29, for adjusting the relative position of the inking and doctor unit with respect to the print cylinder. See column 2, lines 49-63 and the Figure.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-11 are rejected under 353 U.S.C. 103(a) as being unpatentable over Christmann et al. in view of U.S. Patent No. 4,945,832 to Odom.

With respect to claims 2-5, Christmann et al. teaches all that is claimed, as in the above rejection of claims 1, 12-14 and 17-18, except for first sealing means for hermetic connection to the print cylinder which are flat-surface sealing means designed to engage opposite end surfaces of the print cylinder, comprising a first and a second plate fitted at opposite ends of the casing and having respective sealing edges facing each other and arranged to slide on respective said end surfaces when the box body engages the print cylinder, such that the first and second plate are movable with respect to the casing; and by comprising elastic means associated with the first and second plate to press the first and second plate against respective said end surfaces when the box body engages the print cylinder.

Odom teaches a cylinder and inking and doctor unit including first sealing means, 57, for hermetic connection to the print cylinder which are flat-surface sealing means designed to engage opposite end surfaces of the print cylinder, comprising a first and a second plate fitted at opposite ends of the casing and having respective sealing edges facing each other and arranged to slide on respective said end surfaces when the box body engages the print cylinder, such that the first and second plate are movable with respect to the casing; and by comprising elastic means associated with the first and second plate to press the first and second plate against respective said end surfaces when the box body engages the print cylinder. See column 7, lines 17-29 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Christmann et al. to include sealing means, as taught by Odom, in order to limit ink leakage.

With respect to claims 6-7, Christmann et al. does not teach that the first sealing means are radial sealing means shaped to engage the lateral surface of the print cylinder, are carried by the casing, at opposite ends of the doctor assembly and comprise sealing edges of the casing shaped to slide on the lateral surface of the print cylinder along at least a predetermined arc, when the box body engages the print cylinder.

Odom teaches a cylinder and inking and doctor unit wherein the first sealing means are radial sealing means shaped to engage the lateral surface of the print cylinder, are carried by the casing, at opposite ends of the doctor assembly and comprise sealing edges of the casing shaped to slide on the lateral surface of the print cylinder along at least a predetermined arc, when the box body engages the print cylinder.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Christmann et al. to include sealing means, as taught by Odom, in order to limit ink leakage. See column 7, lines 17-29 and Fig. 1.

With respect to claims 8-10, Christmann et al. does not teach second sealing means between the doctor assembly and the casing comprising seals located at opposite ends of the doctor assembly, flush with a first and second lateral wall respectively of the casing, comprising pads made of low-friction material, incorporated

in the first and second lateral wall of the casing and located at opposite ends of the doctor assembly and pressure means for pressing the pads against the opposite ends of the doctor assembly.

Odom teaches a cylinder and inking and doctor unit having second sealing means between the doctor assembly and the casing comprising seals located at opposite ends of the doctor assembly, flush with a first and second lateral wall respectively of the casing, comprising pads made of low-friction material, incorporated in the first and second lateral wall of the casing and located at opposite ends of the doctor assembly and pressure means for pressing the pads against the opposite ends of the doctor assembly. See column 7, lines 17-29 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Christmann et al. to include sealing means, as taught by Odom, in order to limit ink leakage.

With respect to claim 11, Christmann et al. does not teach third sealing means between a sealing surface of the doctor assembly extending continuously along the whole width of the doctor assembly, and an edge of the casing adjacent to the sealing surface.

Odom teaches a cylinder and inking and doctor unit having third sealing means between a sealing surface of the doctor assembly extending continuously along the whole width of the doctor assembly, and an edge of the casing adjacent to the sealing surface. See column 7, lines 17-29 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Christmann et al. to include sealing means, as taught by Odom, in order to limit ink leakage.

Allowable Subject Matter

5. Claims 15-16 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 15, the prior art does not teach or render obvious an inking and doctor unit as claimed, particularly including a hood designed to define, in use, a wetting chamber about a portion of the lateral surface of the print cylinder extending substantially between a print area and the inking chamber.

With respect to claim 19, the prior art does not teach or render obvious an inking and doctor unit as claimed, particularly wherein the actuating means comprise rotary actuating means for rotating the inking and doctor unit about the axis of rotation of the print cylinder.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

/Jill E. Culler/

Primary Examiner, Art Unit 2854